

United States District Court  
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ROBERT BEARD,

No. C 10-04129 SBA (PR)

Plaintiff,

**ORDER OF TRANSFER**

v.

MR. HARRINGTON, et al.,

Defendants.

Plaintiff, a state prisoner, has filed a pro se civil rights action pursuant to 42 U.S.C. § 1983. He has not paid the filing fee or filed a motion for leave to proceed in forma pauperis.

The acts complained of occurred at Kern Valley State Prison, which is located in the Eastern District of California, and it appears that the Defendants reside in that district. Venue, therefore, properly lies in that district and not in this one. See 28 U.S.C. § 1391(b).

Accordingly, in the interest of justice and pursuant to 28 U.S.C. § 1406(a), this action is TRANSFERRED to the United States District Court for the Eastern District of California. The Clerk of the Court shall transfer the case forthwith.

IT IS SO ORDERED.

DATED: 9/23/10

  
SAUNDRA BROWN ARMSTRONG  
United States District Judge

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UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

ROBERT BEARD,

Plaintiff,

v.

HARRINGTON et al,

Defendant.

Case Number: CV10-04129 SBA

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on September 23, 2010, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Robert Beard H-95755  
Salinas Valley State Prison  
P.O. Box 1020  
Soledad, CA 93960

Dated: September 23, 2010

Richard W. Wieking, Clerk  
By: LISA R CLARK, Deputy Clerk